



LAW LIBRARY
ARIZONA ATTORNEY GENERAL

Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert R. Corbin

September 12, 1984

Barry M. Corey
Corey & Farrell, P.C.
177 North Church Avenue - Ste 509
Tucson, Arizona 85701

Re: I84-124 (R84-143)

Dear Mr. Corey:

Pursuant to A.R.S. § 15-253.B, we concur with the opinion expressed in your August 21, 1984 letter to Alfred C. Strachan, Associate to the Superintendent, Amphitheater School District, in which you conclude that school district governing board members may use school vehicles for school purposes.

Sincerely,

Bob Corbin

BOB CORBIN
Attorney General

BC:TLM:it

COREY & FARRELL, P. C.

ATTORNEYS AT LAW

BARRY M. COREY

PATRICK J. FARRELL

DRUE ANN MORGAN-BIRCH

SUITE 509 TRANSAMERICA BUILDING

177 NORTH CHURCH AVENUE

TUCSON, ARIZONA 85701

602 882-4994

August 21, 1984

R84 - 143

Alfred C. Strachan
Associate to the Superintendent
Staff Relations
Amphitheater School District
701 West Wetmore Road
Tucson, Arizona 85705

Re: Governing Board Members use of school automobiles

Dear Mr. Strachan:

You have requested an opinion with respect to the question of whether Governing Board members may use school vehicles for school purposes. For the reasons hereinafter set forth, it is our opinion that Governing Board members of the School District may utilize school automobiles for school purposes.

Section 15-342 of the Arizona Revised Statutes provides, at Subsection 5 thereof, that the Governing Board may:

"Permit a superintendent, principal or their representative to travel for a school purpose, as determined by a majority vote of the board. The board may permit members and members-elect of the board to travel within or without the school district for a school purpose and receive reimbursement. Any expenditure for travel and subsistence pursuant to this paragraph shall be as provided in title 38, chapter 4, article 2. The designated post of duty referred to in §38-621 shall be construed, for school district governing board members, to be the member's actual place of residence, as opposed to the school district office or the school district boundaries. Such expenditures shall be a charge against the budgeted school district funds."

Thus, it is clearly contemplated by the legislature that governing board members may be permitted to travel for school purposes.

COREY & FARRELL, P. C.
ATTORNEYS AT LAW

Alfred C. Strachan
August 21, 1984
Page Two

Governing Board members are required to maintain the schools in the school district, and they are required to "visit every school in the district". A.R.S. §15-341(A)(3). Thus, it is obvious that Governing Board members will require transportation of some kind. It is the opinion of this office that the utilization of a school automobile, for school purposes, would fall into the same category as the utilization of school buildings for the conduct of school business. While there is no specific statutory authority permitting Governing Board members to utilize school buildings for school purposes, that utilization is clearly anticipated and permitted. Likewise, the utilization of other school property, to-wit: automobiles, for school purposes, is similarly anticipated by the statutes and is permissible.

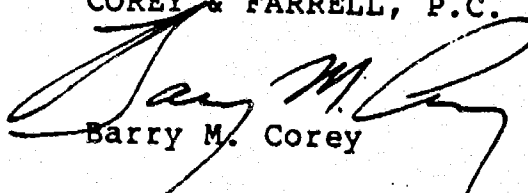
This conclusion is consistent with the language contained in Attorney General Opinion No. I74-15-C which concludes that "persons who are neither students nor employees of the school district but who are assisting a school activity may be given transportation by school vehicles."

Thus, it is the opinion of this office that the Governing Board members of Amphitheater School District may utilize school district vehicles so long as that utilization is for school purposes.

Thank you for permitting us to work with you in connection with this matter. If we can be of any further assistance, please do not hesitate to call upon us. Consistent with your request, we are forwarding a copy of this letter to the Office of the Attorney General for review, concurrence, or revision.

Very truly yours,

COREY & FARRELL, P.C.


Barry M. Corey

BMC/tld
cc: Attorney General's Office